

## IMPORTANT INFORMATION REGARDING YOUR RIGHTS AND RESPONSIBILITIES

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Property owners within subdivisions that contain one or more private roads have certain rights and responsibilities regarding the private roads. As a service to its customers, the Wake County Planning Department is providing this informational brochure to new or potential homeowners within subdivisions that contain one or more private roads.

The property that you have purchased, or are interested in purchasing, contains one or more private roads. It is important that you fully understand your rights and responsibilities as a homeowner regarding the maintenance of these private roads.

This disclosure is given in accordance with North Carolina General Statute 136-102.6.

## WHERE CAN YOU LEARN MORE?

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The Wake County Planning Department is dedicated to assisting you whenever possible. For additional information please contact your real estate agent or the Current Planning Section of the Wake County Planning Department at 856-6216.

Thank you for your interest,

Melanie Wilson

Planning Director



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## GUIDE FOR PROPERTY OWNERS IN SUBDIVISIONS WITH PRIVATE ROADS

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### *Know Your Responsibilities*

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An Important Informational  
Guide for New or Potential  
Homeowners within Subdivisions  
That Contain One or More Private  
Roads

# KNOW YOUR RESPONSIBILITIES

Property owners within subdivisions that contain one or more private roads have certain rights and responsibilities regarding the private roads. It is important that you fully understand your rights and responsibilities as a homeowner regarding these private roads. These include:

- All property owners within the subdivision have easements with one another to travel over and across such roads.
- The responsibility for maintenance of such private roads falls solely upon the property owners within the subdivision.
- No representation is made that the private roads within this subdivision meet the minimum requirements necessary to allow such roads to be included in the state secondary road system or that the North Carolina Department of Transportation will eventually assume maintenance of such roads.
- If private roads are not adequately constructed and maintained, emergency service providers and public service vehicles may be unable to provide adequate service to residents of the subdivision.

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## EXAMPLES OF MAINTENANCE RESPONSIBILITIES

Examples of items (not an all inclusive list) for which property owners within the subdivision will be held responsible include the following:

1. Routine road maintenance such as repairing potholes, mowing and/or restoration of the roadway shoulder, cleaning out of drainage pipes and roadway ditches, etc.
2. Periodic resurfacing of the private road, as necessary to retain the road's proper function and operation, with either new pavement for Class A private roads, or new gravel for Class B private roads. This resurfacing may include the removal, in whole or in part, of the existing roadway, the installation and proper compaction of new asphalt or gravel as noted above and/or sub-grade material.

3. Periodic replacement of cross-road drainage pipes and related roadway patching.
4. Removal and proper disposal of fallen trees, tree limbs, leaves and other vegetative material resulting from natural events such as ice storms or wind damage.
5. Grading/removal of snow and ice from the roadway surface.

## NO PUBLIC FUNDING

No public funding is/will be available to aid in whole, or in part, in the conducting of these maintenance responsibilities.

**For more information,  
call us at: (919) 856-  
6216**

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